
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations revoke and re-enact the Cosmetic Products (Safety) Regulations 2003 ([S.I. 2003/835](#)) (“the 2003 Regulations”). The 2003 Regulations give effect to Council Directive [76/768/EEC](#) (O.J. No. L262, 27.9.76, p.169) (“the Directive”) on the approximation of the laws of the Member States relating to cosmetic products, as amended by the Community instruments listed in Schedule 2 to these Regulations.

These Regulations also give effect for the first time to Council Directive [2003/15/EC](#) (O.J. L66, 11.3.2003, p.26) which amends Directive [67/548/EEC](#) for the 7th time, as follows:

- (a) Prohibit the supply of cosmetic products where the final formulation or ingredients have been tested on animals using a method other than an “alternative method”. The Regulations also introduce an outright prohibition in respect of the supply of cosmetic products after specified dates (2009 and 2013);
- (b) Prohibit the testing of “finished cosmetic products” on animals with immediate effect;
- (c) Prohibit the testing of ingredients for use in cosmetic products after specified dates;
- (d) Introduce provisions governing the use by cosmetic product manufacturers of claims in respect of animal testing;
- (e) Prohibit the use in cosmetic products of substances which are classified under directive [67/548/EEC](#) as carcinogenic, mutagenic or toxic to reproduction (and listed in the approved supply list) subject to an exemption in respect of substances which have been evaluated as safe by the Scientific Committee on Cosmetic Products⁽¹⁾;
- (f) Requires manufacturers to label products with a symbol (contained in Schedule 9, Part 2) indicating the time after opening after which the product may harm the consumer (this only applies to products with a minimum durability of more than 30 months);
- (g) Requires certain perfumes and aromatic compositions to be specifically listed on product packaging;
- (h) Requires a specific safety assessment to be undertaken in respect of cosmetic products intended for children or for intimate hygiene;
- (i) Inserts further entries into Schedule 4 to these Regulations;

These Regulations also give effect to Council Directive [2003/80/EC](#) (O.J. No. 224, 6.9.2003, p.27) which amends the Directive for the 30th time. Directive [2003/80/EC](#) amends the Directive by inserting a new Annex VIIIa containing a symbol to be used by manufacturers to indicate the time after opening after which the product may harm the consumer (as required by Directive [2003/15/EC](#)).

These Regulations also give effect to Council Directive [2003/83/EC](#) (O.J. No. L238, 25.9.2003, p.23) which amends the Directive by inserting, deleting or amending entries in Annexes II, III and VI. These Regulations make appropriate amendments to Schedules 3,4 and 6, which implement those Annexes. Directive [2003/83/EC](#) requires Member States to ensure that cosmetic products, which fail to comply with that directive, shall not be placed on the market from 24th March 2005 and that they shall not be supplied to the final consumer from 24th September 2005. Accordingly, regulations 1(3) and 1(4) provide that newly inserted or amended entries in the schedules to the regulations shall not

(1) the Scientific Committee on Cosmetic Products was previously called the Scientific Committee on Cosmetic Products and Non-Food Products intended for Consumers (“SCCNFP”)

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Cosmetic Products (Safety) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

have effect until 24th March 2005. Equally, these regulations provide that certain entries, which are amended or deleted by 2003/83, shall continue to operate in their existing form (i.e. as they appear in the Cosmetic Products (Safety) Regulations 2003) until 24th March 2005. Regulation 16(3) provides that no proceedings or enforcement action shall be taken in respect of the new or amended entries where the cosmetic product in question is placed on the market before 24th March 2005 and is supplied before 24th September 2005.

The Colour Index referred to in these Regulations may be obtained from the Society of Dyers and Colourists and the American Society of Textile Chemists and Colourists by on-line subscription at <http://www.colour-index.org/>.

A full regulatory impact assessment of the effect that this instrument will have on costs to business is available from the Consumer and Competition Policy Directorate of the Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET. Copies of a transposition note relating to these Regulations have been placed in the libraries of both Houses of Parliament. Copies are also available to the public from the Consumer and Competition Policy Directorate of the Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Cosmetic Products (Safety) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch 2 am by S.I. 2005/1815 reg 3(1)(3)
- sch 2 am by S.I. 2006/1198 reg 2
- Sch 3 Pt 1 am by S.I. 2005/1815 reg 3(1)reg 3(4)(a)Schedule Pt 2
- Sch 3 Pt 2 am by S.I. 2005/1815 reg 3(1)reg 3(4)(b)Schedule Pt 3
- Sch 3 Pt 1 am by S.I. 2005/3346 reg 2(1)reg 2(4)(a)Schedule Pt 1
- Sch 3 Pt 2 am by S.I. 2005/3346 reg 2(1)reg 2(4)(b)
- Sch. 3 Pt. 1 Entry 425 words omitted by S.I. 2004/2988 reg. 2(7)
- Sch 4 Pt 1 am by S.I. 2005/1815 reg 3(1)reg 3(5)(a)(ii)reg 3(5)(a)(iv)reg 3(5)(a)(v)(viii)–(x) Schedule Pt 4
- Sch 4 Pt 2 am by S.I. 2005/3346 reg 2(1)(5)
- sch 4 am by S.I. 2006/1198 reg 2
- Sch. 4 Pt. 1 coming into force by S.I. 2004/2152 reg. 1(2)
- Sch. 4 Pt. 2 coming into force by S.I. 2004/2152 reg. 1(2)
- Sch 4 Pt 1 rev in pt by S.I. 2005/1815 reg 3(1)reg 3(5)(a)(i)reg 3(5)(a)(iii)reg 3(5)(a)(vi)(vii)
- Sch 4 Pt 2 rev in pt by S.I. 2005/1815 reg 3(1)reg 3(5)(b)
- Sch. 4 Pt. 2 entry 17 revoked by S.I. 2006/2231 reg. 2(4)
- Sch. 4 Pt. 2 entry 23 revoked by S.I. 2006/2231 reg. 2(4)
- Sch. 4 Pt. 2 entry 40 revoked by S.I. 2006/2231 reg. 2(4)
- Sch. 4 Pt. 2 entry 42 revoked by S.I. 2006/2231 reg. 2(4)
- Sch. 4 Pt. 1 Entry 51 substituted by S.I. 2004/2988 reg. 2(8)(a)(i)Sch. Pt. 1
- Sch. 4 Pt. 1 Entry 53 substituted by S.I. 2004/2988 reg. 2(8)(a)(i)Sch. Pt. 1
- Sch. 4 Pt. 1 Entry 65 substituted by S.I. 2004/2988 reg. 2(8)(a)(i)Sch. Pt. 1
- Sch. 4 Pt. 1 Entry 66 substituted by S.I. 2004/2988 reg. 2(8)(a)(i)Sch. Pt. 1
- Sch. 4 Pt. 1 Entry 55 substituted by S.I. 2004/2988 reg. 2(8)(a)(ii)
- Sch. 4 Pt. 1 Entry 60 word substituted by S.I. 2004/2988 reg. 2(8)(a)(iii)
- Sch. 4 Pt. 2 word substituted by S.I. 2004/2988 reg. 2(8)(b)(i)
- Sch. 4 Pt. 1 words inserted by S.I. 2004/2988 reg. 2(8)(a)(iv)Sch. Pt. 2
- Sch. 4 Pt. 1 words inserted by S.I. 2007/2400 Sch. 2 Pt. 1
- Sch. 4 Pt. 2 words omitted by S.I. 2004/2988 reg. 2(8)(b)(ii)
- Sch. 4 Pt. 2 entry 1 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 2 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 8 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 13 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 15 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 30 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 34 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 41 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 43 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 45 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 46 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 51 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 52 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 53 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 54 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 57 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 59 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 60 words substituted by S.I. 2006/2231 reg. 2(5)(a)
- Sch. 4 Pt. 2 entry 3 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 4 words substituted by S.I. 2006/2231 reg. 2(5)(b)

- Sch. 4 Pt. 2 entry 5 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 6 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 7 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 9 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 10 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 11 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 12 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 14 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 16 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 18 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 19 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 20 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 21 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 22 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 24 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 25 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 26 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 27 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 28 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 29 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 31 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 32 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 33 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 35 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 36 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 37 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 38 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 39 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 44 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 47 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 48 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 49 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 50 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 55 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 56 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch. 4 Pt. 2 entry 58 words substituted by S.I. 2006/2231 reg. 2(5)(b)
- Sch 5 Pt I am by S.I. 2005/1815 reg 3(1)(6)
- Sch. 5 Pt. I coming into force by S.I. 2004/2152 reg. 1(1)
- Sch. 5 Pt. II coming into force by S.I. 2004/2152 reg. 1(2)
- Sch 5 Pt I rev in pt by S.I. 2005/3346 reg 2(1)reg 2(6)(7)
- Sch. 5 Pt. 1 words inserted by S.I. 2004/2988 reg. 2(9)
- Sch 6 Pt I am by S.I. 2005/1815 reg 3(1)reg 3(7)(a)Schedule Pt 5
- Sch 6 Pt I am by S.I. 2005/3346 reg 2(1)(8)Schedule Pt 2
- Sch. 6 Pt. I coming into force by S.I. 2004/2152 reg. 1(2)
- Sch. 6 Pt. 2 coming into force by S.I. 2004/2152 reg. 1(2)
- Sch 6 Pt I rev in pt by S.I. 2005/1815 reg 3(1)reg 3(7)(b)
- Sch. 6 Pt. 1 Entry 5 substituted by S.I. 2004/2988 reg. 2(10)(c)(i)Sch. Pt. 3
- Sch. 6 Pt. 1 word deleted by S.I. 2007/2400 reg. 2(6)(a)
- Sch. 6 Pt. 1 word inserted by S.I. 2007/2400 reg. 2(6)(b)
- Sch. 6 Pt. 1 Entry 54 word substituted by S.I. 2004/2988 reg. 2(10)(c)(ii)
- Sch. 6 words substituted by S.I. 2004/2988 reg. 2(10)(a)
- Sch. 6 words substituted by S.I. 2004/2988 reg. 2(10)(b)(i)
- Sch. 6 words substituted by S.I. 2004/2988 reg. 2(10)(b)(ii)
- Sch. 6 Pt. 1 words substituted by S.I. 2007/2400 reg. 2(6)(c)Sch. 2 Pt. 2
- Sch. 6 Pt. 1 words substituted by S.I. 2007/2400 reg. 2(6)(d)Sch. 2 Pt. 3
- Sch. 6 Pt. 1 words substituted by S.I. 2007/2400 reg. 2(6)(e)
- Sch 7 Pt 1 am by S.I. 2005/1815 regs 23(1)(8)Schedule Pts16
- Sch. 7 Pt. 1 coming into force by S.I. 2004/2152 reg. 1(2)

- Sch. 7 Pt. II coming into force by S.I. 2004/2152 reg. 1(2)
- Sch. 7 Pt. 1 Entry 11 word substituted by S.I. 2004/2988 reg. 2(11)(a)
- Sch. 7 Pt. 1 Entry 19 word substituted by S.I. 2004/2988 reg. 2(11)(b)
- Sch. 9 Pt. 2 coming into force by S.I. 2004/2152 reg. 1(2)
- Sch. 9 Pt. 1 symbol inserted by S.I. 2004/2361 reg. 2Sch. Pt. 1
- Sch. 9 Pt. 2 symbol inserted by S.I. 2004/2361 reg. 2Sch. Pt. 2
- Sch. 13 omitted by S.I. 2004/2988 reg. 2(12)
- Regulations revoked by S.I. 2008/1284 Sch. 1
- reg 5 am by S.I. 2005/1815 reg 3(1)(2)
- reg 5 am by S.I. 2005/3346 reg 2(1)(2)
- reg 5 am by S.I. 2006/1198 reg 2
- reg. 5(2)(c) substituted by S.I. 2007/2400 reg. 2(2)
- reg. 5(15) substituted by S.I. 2004/2988 reg. 2(2)(a)
- reg. 5(15) substituted by S.I. 2007/2400 reg. 2(3)
- reg. 5(16) words omitted by S.I. 2004/2988 reg. 2(2)(b)
- reg. 7(2)(c)reg. 7(9)(b) coming into force by S.I. 2004/2152 reg. 1(2)
- reg. 9(5)(a) substituted by S.I. 2007/289 Sch. 1 para. 39
- reg. 12(1) word substituted by S.I. 2004/2988 reg. 2(3)
- reg. 13(2) words substituted by S.I. 2004/2988 reg. 2(4)
- reg. 16(1)(a) words substituted by S.I. 2004/2988 reg. 2(5)(a)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch 2 paras 4344 added by S.I. 2005/3346 reg 2(1)(3)
- Sch. 2 para. 38-41 inserted by S.I. 2004/2988 reg. 2(6)
- Sch. 2 para. 4849 inserted by S.I. 2007/2400 reg. 2(4)
- Sch. 2(46) inserted by S.I. 2006/2231 reg. 2(3)
- reg. 5(15)(d) inserted by S.I. 2006/2231 reg. 2(2)
- reg. 5(15)(d) words substituted by S.I. 2006/2907 reg. 2
- reg. 16(3A)(3B) inserted by S.I. 2004/2988 reg. 2(5)(b)